

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BRADLEY ELMENDORF,)	
)	
Plaintiff,)	
)	
v.)	1:14CV697
)	
DUKE UNIVERSITY,)	
)	
Defendant.)	

ORDER

On September 17, 2014, Defendant filed its Motion to Dismiss Counts Three and Four of Plaintiff's Complaint. (ECF No. 11.) On July 7, 2015, the Recommendation of the United States Magistrate related to Defendant's motion was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on July 7, 2015, was served on the parties in this action. (ECF Nos. 17, 18.) Defendant filed its Objection to the Recommendation (ECF No. 19), and Plaintiff filed a Response to Defendant's Objection to the Recommendation (ECF No. 20) within the time limit prescribed by § 636.

The Court has reviewed the Magistrate Judge's Recommendation, Defendant's Objection, and Plaintiff's Response, and has made a *de novo* determination in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendant's Motion to Dismiss Counts Three and Four of Plaintiff's Complaint (ECF No. 11) is DENIED.

This, the 14th day of August, 2015.

/s/ Loretta C. Biggs
United States District Judge